

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

FELIX CASTRO,

Plaintiff,

v.

SPORTS AND FITNESS EXCHANGE  
LEGACY, LLC,

Defendant.

23 Civ. 8523 (DEH)

**ORDER**

DALE E. HO, United States District Judge:

An order issued on November 1, 2023, scheduled an initial pre-trial conference for January 16, 2024, and required the parties to file a joint status letter and proposed case management plan by January 9, 2024. *See* ECF No. 5. No materials were filed and there was no indication on the docket that Defendant had been served with the summons and complaint.

An order issued on January 10, 2024, adjourned *sine die* the initial pretrial conference and required Plaintiff to file proof of service by January 16, 2024. *See* ECF No. 6. Plaintiff filed proof of service on January 11, 2024. *See* ECF No. 7.

An order issued on January 12, 2024, scheduled an initial pre-trial conference for March 26, 2024, and required the parties to file a joint status letter and proposed case management plan by March 20, 2024. *See* ECF No. 5. To date, no materials have been filed.

It is hereby **ORDERED** that, if Plaintiff has been in contact with Sports and Fitness Exchange Legacy, LLC, parties shall file the required joint status letter as soon as possible and no later than **March 21, 2024**. The parties are apprised that the Court's preference is to set a schedule for discovery, as appropriate, based on a proposal from all parties. Alternatively, Plaintiff shall file a letter on ECF by **March 21, 2024**, describing their efforts to serve and provide actual notice of this lawsuit to Sports and Fitness Exchange Legacy, LLC. Plaintiff is

apprised that failure to comply with Court orders may result in sanctions, including dismissal for failure to prosecute.

SO ORDERED.

Dated: March 20, 2024  
New York, New York

A handwritten signature in black ink, appearing to read 'Dale Ho', is written above a horizontal line.

DALE E. HO  
United States District Judge